

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

PRIME TRADING COMPANY, INC.,	)	Case No.: 1:08-CV-00154
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
R. J. O'BRIEN & ASSOCIATES, INC., an	)	Judge Kennelly
Illinois Corporation,	)	Magistrate Judge Ashman
	)	
Defendant.	)	

**UNOPPOSED MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AND TO  
CONTINUE DEADLINE TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff, Prime Trading Company, Inc. ("Prime"), moves the Court, pursuant to Fed. R. Civ. P. 15, for an order granting Prime leave to file an amended complaint and to continue Prime's deadline to respond to Defendant R. J. O'Brien & Associates, Inc.'s ("RJO") Motion to Dismiss until 20 days after the Court has ruled on Prime's Motion for Leave to Amend, if Prime's Motion for Leave to Amend is denied.

In support of its Motion for Leave to Amend, Prime states as follows:

1. Prime filed its Complaint on January 8, 2008.
2. RJO filed a Motion to Dismiss on March 21, 2008.
3. On April 1, 2008, the Court set April 29, 2008 as the deadline for Prime to file its Brief in Opposition, May 13, 2008 for Defendant to file its Reply Brief, and set a hearing date of May 22, 2008 to rule on the Motion to Dismiss.
4. On April 17, 2008, the Court set October 1, 2008 as the deadline for amending the pleadings.

5. Counsel for RJO has informed counsel for Prime that they do not oppose Prime's Motion for Leave to Amend.

6. The purposes of this amendment are to provide more specific facts which may be relevant to RJO's assertion in its Motion to Dismiss that Prime has failed to state claims upon which relief can be granted, to withdraw certain claims for relief which had been asserted by Prime, and to add a new claim for relief based upon subrogation.

WHEREFORE, Plaintiff, Prime Trading Company, Inc., respectfully requests that the Court grant Prime's Motion for Leave to File an Amended Complaint and to Continue Prime's Deadline to Respond to RJO's Motion to Dismiss until 20 days after the Court has ruled on Prime's Motion for Leave to Amend, if Prime's Motion for Leave to Amend is denied.

Dated this 29th day of April, 2008.

PRIME TRADING COMPANY, INC., Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 29, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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